



**PATENT** 

ATTORNEY DOCKET NO.: 053785-5001

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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)
) Group Art Unit: 2871
) Examiner: Unassigned
) ) ) )

## **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. A copy of the two references cited on the PTO-1449 are attached. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not

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constitute "prior art" under United States law, Applicant reserves the right to present to the Office

the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability

of the disclosed invention over the listed documents, should one or more of the documents be

applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby

authorized by this paper to charge any additional fees during the entire pendency of this

application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit Account No.

50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR

**EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

Reg. No. 41,040

**MORGAN, LEWIS & BOCKIUS LLP** 

Dated: April 9, 2001

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